

DAVID A. HUBBERT
Deputy Assistant Attorney General

BORIS KUKSO
Trial Attorney, Tax Division
U.S. Department of Justice
P.O. Box 683
Washington, D.C. 20044
202-353-1857 (v)
202-307-0054 (f)
Boris.Kukso@usdoj.gov

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDWARD T. KENNEDY,

Defendant.

)
) Case No. 2:21-cv-1964-WBS-CKD
)
) **NOTICE OF AND MOTION FOR**
) **DEFAULT JUDGMENT**
)
) Date: Wednesday, April 27, 2022
) Time: 10:00 AM
) Courtroom #24, 8th Floor
) Robert T. Matsui Courthouse
) 501 I Street, Sacramento, CA 95814
) Judge: Hon. Carolyn K. Delaney
)

NOTICE OF MOTION

PLEASE TAKE NOTICE that on the date and time indicated above, plaintiff the United States of America will bring a motion FOR DEFAULT JUDGMENT AGAINST DEFENDANT EDWARD T. KENNEDY.

Pursuant to General Order 631, the hearing will take place by video conferencing through the Zoom application.

PLEASE TAKE NOTICE that, pursuant to Local Rule 230, any opposition to the granting of the motion shall be in writing and shall be filed and served not less than fourteen (14) days preceding the noticed (or continued) hearing date. **No party will be entitled to be heard in opposition to a motion at oral arguments if opposition to the motion has not been timely**

1 **filed by that party.** A failure to file a timely opposition may also be construed by the Court as a
2 non-opposition to the motion.

3
4 **MOTION**

5 Pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure and Local Rule 302(c)
6 the United States of America hereby moves for default judgment against Defendant Mr.
7 EDWARD T. KENNEDY (Kennedy).

8 The United States filed this action to nullify a false lien Kennedy filed against the IRS
9 Commissioner and to enjoin any further such false filings, which he has threatened against other
10 IRS officers. ECF No.1. The summons and complaint were personally served on Defendant on
11 December 9, 2021, at his residence at 800 Court St., #223, Reading, PA 19601. Kukso Decl. ¶ 2,
12 ECF No. 5. The clerk entered Kennedy's default on March 7, 2022. ECF No. 12.

13 This motion is supported by the Memorandum and the Declarations of IRS
14 Commissioner Charles P. Rettig and IRS Revenue Officer Bruce Kreutzer, attached hereto.

15
16 WHEREFORE, the United States requests that this Court enter default judgment against
17 Kennedy and order that:

- 18 A. The UCC Financing Statement, File #U210080802220, filed on 9/1/2021 with the California
19 Secretary of State, is null, void, and of no legal effect and that the record of this filing be
20 expunged and removed from the public record;
- 21 B. The United States may file any order or judgment obtained in the present case with the
22 California Secretary of State and in the public records of any other jurisdiction where
23 documents identical or similar to the False Lien may have been filed by Kennedy;
- 24 C. Kennedy, his agents, employees, and all others in active concert or participation with him are
25 enjoined from filing, or attempting to file, any document or instrument, which (1) purports to

1 create a nonconsensual lien against the property of any federal officer or employee, or which
2 (2) contains any personal information (such as the social security number or the residence
3 address) of any federal officer or employee.
4

5 Dated: March 29, 2022.
6

7 DAVID A. HUBBERT
8 Deputy Assistant Attorney General

9 /s/ Boris Kukso
10 BORIS KUKSO
11 Trial Attorney, Tax Division
12 U.S. Department of Justice
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CERTIFICATE OF SERVICE

I hereby certify that on this March 29, 2022, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system and, on the same date, caused the same document to be mailed by United States Postal Service to the following:

Edward Kennedy
800 Court St., #223
Reading, PA 19601

/s/ Boris Kukso
BORIS KUKSO
Trial Attorney
United States Department of Justice, Tax Division